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FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER BELOUSOV, ANDREY	
			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/789,137	<b>Applicant(s)</b> OLANDER ET AL.	
	<b>Examiner</b> ANDREY BELOUSOV	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1- 66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1- 66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/07/2008, 9/03/2008, 9/03/2008</u> .                         | 6) <input type="checkbox"/> Other: _____                          |



### DETAILED ACTION

This action is responsive to amendment filed on August 7, 2008. Claims 1- 66 are pending and have been considered below.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 5, 7-18, 20-22, 24-35, 37-39, 41-51, 53-54 and 56-66 are rejected under 35 U.S.C. 102(b) as being anticipated by Geary (David M. Geary, Graphic JAVA2 Mastering the JFC.)

**Claim 1, 50:** Geary discloses a method for rendering a graphical user interface (GUI), comprising:

- a. providing for the representation of the GUI as a set of controls wherein the controls are organized in a logical hierarchy (pg. 25-26);
- b. traversing the representation, wherein the traversing comprises:
  - a. associating a theme with a first control in the set of controls (pg. 317, 353),
  - b. rendering the first control according to the theme (pg. 353, default theme, e.g. javax.swing.plaf.metal.MetalTheme);

- c. rendering any descendents (pg. 353, “public class Test extends JApplet”) of the first control according to the theme (pg 318; Fig. 7-1) unless overridden (pg. 353, “setMetalTheme (new ExperimentalTheme())”);
- c. wherein a descendent of the first control can override the theme (pg. 353) with a second theme (pg. 353, ExperimentalTheme) such that any descendent of the descendent (any class that extends Test class, pg. 353) of the first control uses the second theme unless the second theme is overridden (in the like manner as shown with Test class, pg. 353);
- d. wherein one of the set of controls can communicate with another of the set of controls (pg 28-33, The JApplet Class); and
- e. wherein the logical hierarchy for the controls includes a portal control (pg. 906 DesktopManager) used to render a portal (pg. 896, JDesktopPane), a portlet control (pg. 890-893, LayoutManager) used to render a portlet (pg. 873, JInternalFrame) and a page control (ImageCanvas Class, pg. 139) used to render a page (pg. 893, contents within Internal Frame in Figure 15-5, e.g. imageCanvas, pg. 139, Fig. 4-11.)

**Claim 18:** Geary discloses a method for rendering a graphical user interface (GUI), comprising:

- a. accepting a request (selecting “File”, Fig. 2-2, pg. 32);
- b. mapping the request to a set of controls (JMenuBar, JApplet, JRootPane, etc; pg. 29-32) that represent the GUI, and

Art Unit: 2174

- c. wherein the controls are organized in a logical hierarchy (pg. 25-26);
- d. traversing the representation, wherein the traversing comprises:
  - a. associating a theme with a first control in the set of controls (pg. 353, default theme, e.g. javax.swing.plaf.metal.MetalTheme);
  - b. rendering the first control according to the theme (pg. 353, default javax.swing.plaf.metal.MetalTheme; Fig. 7-9) unless the theme is overridden (pg. 353, “setMetalTheme (new ExperimentalTheme())”);
  - c. rendering any descendents (pg. 353, “public class Test extends JApplet”) of the first control according to the theme (pg. 353, “setMetalTheme (new ExperimentalTheme())”);
- e. wherein a descendent of the first control can override the theme (pg. 353, default theme, e.g. javax.swing.plaf.metal.MetalTheme) with a second theme (pg. 353, ExperimentalTheme) such that any descendent of the descendent of the first control (any class that extends Test class, pg. 353) uses the second theme unless the second theme is overridden (in the like manner as shown with Test class, pg. 353); and
- f. wherein the logical hierarchy for the controls includes a portal control (pg. 906 DesktopManager) used to render a portal (pg. 896, JDesktopPane), a portlet control (pg. 890-893, LayoutManager) used to render a portlet (pg. 873, JInternalFrame) and a page control (ImageCanvas Class, pg. 139) used to render a page (pg. 893, contents within Internal Frame in Figure 15-5, e.g. imageCanvas, pg. 139, Fig. 4-11.)

**Claim 34:** Geary discloses a method for rendering a graphical user interface (GUI), comprising:

- a. providing for the representation of the GUI as a plurality of controls wherein the controls are organized in a logical hierarchy (pg. 25-26);
- b. traversing the representation, wherein the traversing comprises:
  - a. associating a first theme (pg. 353, default theme, e.g. `javax.swing.plaf.metal.MetalTheme`) with a first control in the plurality of controls (JApplet, pg 353);
  - b. rendering the first control according to the first theme (pg. 353, default `javax.swing.plaf.metal.MetalTheme`);
  - c. associating a second theme (pg. 353, “`setMetalTheme (new ExperimentalTheme())`”) with a second control (pg. 353, “`public class Test extends JApplet`”) in the plurality of controls (pg. 353, JButton, JCheckBox, etc.);
- c. rendering the second control according to the second theme (pg. 353, “`setMetalTheme (new ExperimentalTheme())`”; Fig. 7-9) such that any descendent of the second control (any class that extends Test class, pg. 353) uses the second theme unless overridden (in the like manner as shown with Test class, pg. 353);
- d. wherein the second control is a descendant of the first control (pg. 353, “`public class Test extends JApplet`”); and

Art Unit: 2174

- e. wherein the logical hierarchy for the controls includes a portal control (pg. 906 DesktopManager) used to render a portal (pg. 896, JDesktopPane), a portlet control (pg. 890-893, LayoutManager) used to render a portlet (pg. 873, JInternalFrame) and a page control (ImageCanvas Class, pg. 139) used to render a page (pg. 893, contents within Internal Frame in Figure 15-5, e.g. imageCanvas, pg. 139, Fig. 4-11.)

**Claim 2, 22, 39, 51:** Geary discloses a method and machine readable medium of claims 1, 18 and 50 wherein: one of the set of controls can respond to an event raised by another of the set of controls (pg. 258-262, Event Listener Lists.)

**Claim 4, 24, 41, 53:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: a control can have an interchangeable rendering mechanism (pg. 317, Pluggable Look and Feel; pg. 353, Themes.)

**Claim 5, 35, 54:** Geary discloses a method and machine readable medium of claims 1, 34 and 50, further comprising: accepting a request (selecting "File", Fig. 2-2, pg. 32.)

**Claim 7, 20, 37, 55:** Geary discloses a method and machine readable medium of claims 5, 18, 35 and 54 wherein the request originates from a Web browser (Fig. 2-2, pg. 32).

Art Unit: 2174

**Claim 8, 21, 38, 57:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50, further comprising: generating a response (Fig. 2-2, pg. 32.)

**Claim 9, 25, 42, 58:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: an control can represent one of: button, text field, menu, table, window, window control, title bar, pop-up window, check-box button, radio button, window frame, desktop, shell, head, body, header, footer, book, page, layout, placeholder, portlet and toggle button (pg. 9.)

**Claim 10, 26, 59:** Geary discloses a method and machine readable medium of claims 1, 18 and 50 wherein: associating the theme with the first control can occur when the first control is rendered (pg 317, Pluggable Look and Feel; pg. 336, Fig. 7-6.)

**Claim 11, 27, 43, 60:** Hearst discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the first control inherits the theme from a parent control (pg. 318, Fig. 7-1; the figure shows a panel with several children or descendents. These children inherit the look and feel from the parent.)

**Claim 12, 28, 44, 61:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the theme specifies the appearance and/or functioning of an control in the GUI (pg. 317.)

Art Unit: 2174

**Claim 13, 29, 45, 62:** Geary discloses a method and machine readable medium of claims 1, 18 and 50 wherein: rendering the first control according to the theme can be accomplished in parallel with rendering of other controls (pg. 318, Fig. 7-1.)

**Claim 14, 30, 46, 63:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the theme can be specified in whole or in part by a properties file (pg. 334: "Swing properties file".)

**Claim 15, 31, 47, 64:** Geary discloses a method and machine readable medium of claims 14, 30, 46 and 63 wherein: the properties file can include at least one of: 1) cascading style sheet; 2) Java Server Page; 3) Extensible Markup Language; 4) text; 5) Hypertext Markup Language; 6) Extensible Hypertext Markup Language; 7) JavaScript; and 8) Flash MX (pg. 328: text.)

**Claim 16, 32, 48, 65:** Geary discloses a method and machine readable medium of claims 14, 30, 46 and 63 wherein: the properties file can specify at least one image (i.e. fonts, pg. 353.)

**Claim 17, 33, 49, 66:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50 wherein: the GUI is part of a portal on the World Wide Web (pg. 28-33.)

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 23, 40, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geary in view of Haefel (Enterprise Java Beans, Copyright 1999, 2000 by O'Reilly & Associates, Inc.)

**Claim 3, 23, 40, 52:** Geary discloses a method and machine readable medium of claims 1, 18, 34 and 50. However, Geary does not explicitly disclose wherein: a control can have an interchangeable persistence mechanism. Haefel discloses container-managed persistence, and as it could be utilized by any Java primitive type or serializable objects, the mechanism is interchangeable (pg. 154.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the known technique of interchangeable persistence mechanism to improve similar systems of Geary's JFCs and Haefel's EJB in the same way to achieve a predictable result.

4. Claims 6, 19, 36, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geary in view of Schildt (Java 2, The Complete Reference.)

Art Unit: 2174

**Claim 6, 19, 36, and 55:** Geary discloses a method and machine readable medium of claims 5, 18, 35 and 54. However Geary does not disclose wherein: the request is a hypertext transfer protocol (HTTP) request. Schildt discloses a that a servlet can receive an HTTP request from a web browser (pg. 951.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a known technique of receiving HTTP requests to improve similar systems of Geary's JFC and Schildt servlets in the same way, so as to achieve a predictable result.

### ***Response to Arguments***

5. Applicant's argument filed August 7, 2008 has been fully considered but is not persuasive. Applicant argues that the new features added to the independent claims distinguish over the cited prior art references. The Examiner respectfully disagrees. As indicated in the rejection of independent claims above, Geary discloses the new features of portal, portlet and page level controls for rendering.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

September 27, 2008

/Steven P Sax/  
Primary Examiner, Art Unit 2174